

## **I. GENERAL PROVISIONS**

### **A. TITLE**

These Regulations shall be known and may be cited as "The Subdivision Regulation of Stillwater County and Town of Columbus" herein after referred to as these "Regulations."

### **B. AUTHORITY**

Authorization for these Regulations is contained in the Montana Subdivision and Platting Act (MSPA), Title 76, Chapter 3, MCA.

### **C. PURPOSE**

The purpose of these Regulations is to promote the public health, safety, and general welfare by regulating the subdivision of land; to prevent the overcrowding of land; to lessen congestion on streets and highways; to provide for adequate light, air, water supply, sewage disposal, parks and recreation areas, ingress and egress, and other public needs; to require development in harmony with the natural environment; protect the rights of property owners; to require uniform monumentation of land subdivisions, and to provide procedures for transferring interests in real property by reference to plat or certificate of survey (76-3-102, MCA).

Further, in concert with the purposes of 76-3-102, MCA, these Regulations are intended to promote:

1. The orderly development of the jurisdictional area.
2. The coordination of roads within subdivided land with other roads, both existing and planned.
3. The dedication of land for roadways and for public utility easements.
4. The provision of proper physical and legal access, including necessary easements.
5. The provision of adequate open spaces for travel, light, air, and recreation.
6. The provision of adequate transportation, water, drainage, and sanitary facilities.
7. Avoiding or minimizing congestion.

8. The avoidance of subdivisions which would involve unnecessary environmental degradation.
9. The avoidance of danger or injury by reason of natural hazard or the lack of water, drainage, access, transportation, or other public services.
10. The avoidance of excessive expenditure of public funds to provide for public services.
11. The manner and form of making and filing plats for subdivided lands.
12. The administration of these Regulations by defining the powers and duties of approving authorities including procedures for the review and approval of all plats of subdivisions covered by these provisions.

#### **D. JURISDICTION**

These Regulations govern the subdivision of land within Stillwater County and the Town of Columbus.

If a proposed subdivision lies within one mile of Columbus, the application must also be submitted to the City-County Planning Board for review and comment. If a proposed subdivision lies partly within Columbus, the preliminary plat must be submitted to, and approved by, both the Town and the County.

When a proposed subdivision is also proposed to be annexed to Columbus, the Town shall combine public hearings and otherwise coordinate subdivision review, zoning, and annexation procedures whenever possible.

A copy of the proposed subdivision shall also be sent to the school district in which the development is located.

These Regulations supplement all other land use regulations, and, where they are at variance with other laws, regulations, ordinances, or resolutions, the more restrictive requirements shall apply.

#### **E. SEVERABILITY**

Where any word, phrase, clause, sentence, paragraph, section, or other part of these Regulations is held invalid by a court of competent jurisdiction, such judgment shall affect only that part held invalid.